

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Contini, Arturo  
Serial No: To be assigned  
Filed: October 20, 2003 (herewith)  
For: **BALSAMIC SAUCE FOR ALIMENTARY  
USE, WITH A BASIS OF BALSAMIC  
VINEGAR OF MODENA**

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated below, addressed to: MAIL STOP NEW APPLICATION Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-14501, on October 20, 2003

Date: October 20, 2003

Express Mail No. EV216106755US

Name: Kim Wright

Signature: Kim Wright

**Prior U.S. Application:**

In re Application of: Contini, Arturo  
Serial No.: 09/897,986  
Filed: July 5, 2001  
For: **BALSAMIC SAUCE FOR ALIMENTARY USE, WITH A BASIS OF  
BALSAMIC VINEGAR OF MODENA**

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Examiner: Bhat, Nina NMN

Group Art Unit: 2457

MAIL STOP NEW APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants respectfully submit this Information Disclosure Statement and accompanying PTO 1449 form pursuant to 37 C.F.R. §§1.97 and 1.98 to comply with the duty of disclosure under 37 C.F.R. §1.56.

Pursuant to 37 C.F.R. 1.98(d) copies of the listed references are not enclosed because all listed references were either previously cited by or submitted to the U.S.P.T.O. in parent

application No. 09/897,986, filed July 5, 2001, which application is relied upon for an earlier filing date under 35 U.S.C. §120.

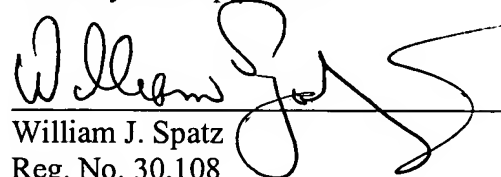
This Information Disclosure Statement is not a representation that the documents cited in the attached PTO-1449 form are considered most pertinent, or that a search has been undertaken, or that any of the cited documents is indeed prior art. The Examiner is invited to undertake an independent search.

Applicants respectfully request that the Examiner consider and make of record the identified documents. Applicants further request that a copy of the Form PTO-1449, appropriately initialed by the Examiner, be returned to Applicants' attorney.

Pursuant to Rule 37 C.F.R. 1.97(b), an Information Disclosure Statement shall be considered by the Patent Office if filed before the mailing date of the first Official Action on the merits. As this Information Disclosure Statement is being submitted before the mailing of a first Official Action on the merits, no fee is believed to be necessary for this Information Disclosure Statement. However, if any fee is found to be due, the Commissioner is authorized to charge such fee, or credit any overpayment in such fees, to Deposit Account No. 50-0540.

KRAMER LEVIN NAFTALIS & FRANKEL LLP  
Attorneys for Applicants

By:

  
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William J. Spatz  
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(212) 715-9257

Based on Form PTO-1449 (3/90)				<b>ATTY. DOCKET NO.</b>  058081-00003		<b>SERIAL NO.</b>	
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				<b>APPLICANT</b>  Contini, Arturo			
				<b>FILING DATE</b>  Herewith October 20, 2003		<b>GROUP</b>	
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	AA	4,252,835	02/1981	Maerker et al.			
	AB	4,935,259	06/1990	Vella			
	AC	5,221,550	06/1993	Freeman			
	AD	5,456,937	10/1995	Chalupa			
	AE	5,565,233	10/1996	Alessi			
	AF	5,885,644	03/1999	Dean			
	AF	5,976,587	11/1999	Yamauchi et al.			
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>
	BA						
	BB						
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	CA	http://www.bchurchill.com, The Food Page Monari Federzoni Balsamic Vinegar Recipes. Copyright 1999					
	CB	http://www.acgardens.com/products, American Culinary Gardens Balsamic Soy Sauce and Balsamic Glazing Sauce, Copyright 1998-2001					
	CC						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

USCOMM-DC 80-3995

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